

Notice of Allowability	Application No.	Applicant(s)	
	10/633,087	KIRCHEN, JAMES T.	
	Examiner	Art Unit	
	Christopher Boswell	3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview conducted on February 16, 2006.
2. ☒ The allowed claim(s) is/are 1-3,6-8,10,12,14 and 15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>2/17/06</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Paul Donovan on February 16, 2006.

The application has been amended as follows:

Canceled Claim 13.

Added new claims 14 and 15 as follows:

14. (NEW) The watertight grommet of claim 1, wherein the arrangement of the pin and the retention structure is such that the pin is provided with a reduced diameter portion to provide a clearance space for the retention structure as the retention structure is inwardly deflected when the grommet is inserted into the bore formed in the first object.

15. (NEW) The watertight grommet of claim 1, wherein the pin is configured such that the catchment mechanism of the pin is positioned adjacent to a tip thereof that is spaced apart from a head of the pin such that the reduced diameter portion of the pin is located intermediate of the head of the pin and the catchment mechanism of the pin.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The claims are allowable over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that of a substantially watertight grommet having a head and a body that extends substantially perpendicular thereto, the head and the body defining a bore arranged to receive a pin the head and the body being a single molded piece having a channel extending completely therethrough from an uppersurface to an undersurface of the head, a retention structure, a sealing mechanism overmolded to the head of the grommet, the sealing mechanism having a first portion forming a water-tight seal between the undersurface of the head and a surface of the first object and a second portion forming a seal between the pin and the bore, where the sealing mechanism is a single molded component through the channel in the head such that a portion of the sealing mechanism is positioned above the upper surface of the head and a portion of the sealing mechanism is positioned below the undersurface, and a catchment mechanism.

The closest prior art of record, U.S. Patent Number 6,039,523 to Kraus, discloses ***.

a grommet having a head and a body that extends substantially perpendicular thereto, the head and the body defining a bore arranged to receive a pin the head and the body being a single molded piece, a retention structure, a sealing mechanism having a first portion forming a water-tight seal between the undersurface of the head and a surface of the first object and a second portion forming a seal between the pin and the bore, where the sealing mechanism is a single

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molded component such that a portion of the sealing mechanism is positioned above the upper surface of the head and a portion of the sealing mechanism is positioned below the undersurface, and a catchment mechanism

However, Kraus does not disclose the head has a channel that extends completely therethrough from an upper surface to an undersurface, as well as the sealing mechanism being a single molded component through the channel, where a portion of the sealing mechanism positioned above the upper surface of the head and a portion of the sealing mechanism is positioned below the undersurface of the head.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to watertight grommets:


U.S. Patent Number 6,406,235 to Bantle, U.S. Patent Number 5,641,255 to Tanaka, U.S. Patent Number 5,580,204 to Hultman, U.S. Patent Number 4,443,145 to Peschges, U.S. Patent Number 4,431,355 to Junemann, U.S. Patent Number 4,280,390 to Murray, U.S. Patent Number 3,519,279 to Wagner.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (571) 272-7054. The examiner can normally be reached on 9:00 - 4:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJB 
February 17, 2006


BRIAN E. GLESSNER
SUPERVISORY PATENT EXAMINER